

HOUSE BILL NO. 327

INTRODUCED BY J. DOOLING

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING CERTAIN DEFAULT DEFINITIONS FOR COVENANTS LIMITING THE USE OF REAL PROPERTY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Default definitions -- commercial or residential use.** Unless the terms of the covenant provide otherwise, the following definitions apply to a restrictive covenant limiting the use of real property:

(1) "Business use", "business purpose", "commercial use", or "commercial purpose" includes a business that requires a license, permit, or certification issued by a state health department or a local health department.

(2) "Residential use" or "residential purpose" includes the lease or rental of a home, dwelling, or lot for a home or dwelling, for a term of not less than 30 days that conforms to the provisions of Title 70, chapters 24, 25, and 33.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 70, chapter 17, part 2, and the provisions of Title 70, chapter 17, part 2, apply to [section 1].

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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